



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

JUN 28 2017

VIA CERTIFIED MAIL 7004 1160 0004 6517 9924

Brad Rist, Vice President
INTAT Precision, Inc.
2148 State Road 3 North
Rushville, IN 46173

Re: Adoption of Agreed Order
Commissioner, Indiana Department of
Environmental Management

v.

INTAT Precision, Inc.
Case No. 2017-24262-A
Rushville, Rush County

Dear Mr. Rist:

This is to inform you that the Agreed Order in the above-referenced case has been approved and adopted by the Indiana Department of Environmental Management. A copy of the Agreed Order is enclosed.

Please note the terms of compliance contained in the Agreed Order. The time frames for compliance are effective upon your receipt of this correspondence. Please note that the civil penalty is due within 30 days after the effective date of the Agreed Order. Payment should be made payable to the Environmental Management Special Fund and sent to:

IDEM Office of Legal Counsel
IGCN, Rm N1307
100 N Senate Ave
Indianapolis, IN 46204

Please include the Case Number on the front of the check. If you have any questions, please contact Matthew Chaifetz at (317)232-8408 or mchaifet@idem.in.gov.

Sincerely,

Phil Perry for

Phil Perry, Chief
Compliance and Enforcement Branch
Office of Air Quality

Enclosure

cc: Rochelle Marceillars, US EPA, Region 5
Rush County Health Department
Matthew Chaifetz, Compliance and Enforcement Branch, OAQ
Wyman Clark – Compliance and Enforcement Branch, OAQ
<http://www.IN.gov/idem>

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STATE OF INDIANA) SS: BEFORE THE INDIANA DEPARTMENT OF
) ENVIRONMENTAL MANAGEMENT
COUNTY OF MARION)
)
COMMISSIONER OF THE)
DEPARTMENT)
OF ENVIRONMENTAL MANAGEMENT)
)
Complainant,)
)
v.) Case No. 2017-24262-A
)
INTAT PRECISION, INC.)
)
Respondent.)

AGREED ORDER

Complainant and Respondent desire to settle and compromise this action without hearing or adjudication of any issue of fact or law, and consent to the entry of the following Findings of Fact and Order. Pursuant to IC 13-30-3-3, entry into the terms of this Agreed Order does not constitute an admission of any violation contained herein. Respondent's entry into this Agreed Order shall not constitute a waiver of any defense, legal or equitable, which Respondent may have in any future administrative or judicial proceeding, except a proceeding to enforce this order.

I. FINDINGS OF FACT

1. Complainant is the Commissioner ("Complainant") of the Indiana Department of Environmental Management ("IDEM"), a department of the State of Indiana created by Indiana Code ("IC") 13-13-1-1.
2. Respondent is INTAT Precision, Inc. ("Respondent"), which owns and operates a stationary gray and ductile iron foundry with Plant I.D. No. 139-00011 located at 2148 State Road 3 in Rushville, Rush County, Indiana (the "Site").
3. IDEM has jurisdiction over the parties and the subject matter of this action.



4. Pursuant to IC 13-30-3-3, IDEM issued a Notice of Violation ("NOV") on April 28, 2017, via Certified Mail to:

Tomiyuki Murayama, President	Prentice-Hall Corporation System, Inc.,
INTAT Precision, Inc.	Registered Agent
2148 N. State Road 3	135 N. Pennsylvania St., Suite 1610
Rushville, IN 46173	Indianapolis, IN 46204

5. During an inspection on January 11, 2017, conducted by a representative of IDEM, the following violations were found:

- a. Pursuant to Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.2.14 (condition D.2.13 in Part 70 Permit No. 139-35965-00011 issued October 27, 2015), Permittee shall record the pressure drop across baghouses DC-3A, DC-3B, BH6400, BH6200, DC-7, DC-8, and DC-13, at least once per day when the units are in operation.

Respondent recorded pressure drop across DC-13 when unit was not operating from January 1, 2016 through December 31, 2016, in violation of Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.2.14 (condition D.2.13 in Part 70 Permit No. 139-35965-00011 issued October 27, 2015).

- b. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.2.17, a quarterly summary of the information to document compliance status with condition D.2.5(b) shall be submitted to demonstrate, CO emissions from Pouring station (PB13B), Cooling line (P4B), Shakeout unit (P16B), Bad Heat Shakeout unit combined shall not exceed 98.75 tons per twelve consecutive month period.

Respondent failed to submit quarterly summaries to document compliance with condition D.2.5(b) for all 4 quarters of 2016, in violation of Part 70 Permit No. 139-35965-00011, condition D.2.17.

- c. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition C.13, Permittee shall take reasonable response steps to restore operation of the emissions unit to its normal or usual manner of operation.

Records indicated that pressure drop across DC-5 was below the permitted range for the month of January 2016 without response steps being noted, in violation of Part 70 Permit No. 139-35965-00011, condition C.13.

- d. Pursuant to Part 70 Permit No. 139-36382-00011, issued to Respondent on January 15, 2016, condition D.3.5, requires testing to demonstrate

compliance with PM, PM10, VOC and CO limits. Testing to be repeated at least once every five years from the date of the valid compliance demonstration.

Respondent failed to conduct PM & PM10 testing within five years of the last valid compliance demonstration for BH6020, BH6040 and FF AAF control units, in violation of Part 70 Permit No. 139-36382-00011, condition D.3.5.

Respondent failed to conduct VOC and CO testing within five years of the last valid compliance demonstration for the Melting (1110), Inoculation (1150), Pouring (2000), the Casting conveyor & Cooling Conveyor system (2015 and 2020), and the Casting Shakeout system (3010), in violation of Part 70 Permit No. 139-36382-00011, condition D.3.5.

- e. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition C.7(c), requires all test reports be received by IDEM, OAQ not later than forty-five (45) days after completion of testing.

Respondent failed to timely submit stack test reports for BH6020, BH6030, BH6040, FF AAF, the Melting (1110), Inoculation (1150), Pouring (2000), the Casting conveyor & Cooling Conveyor system (2015 and 2020), and the Casting Shakeout system (3010), in violation of Part 70 Permit No. 139-35965-00011, condition C.7(c).

- f. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.3.9, Permittee shall maintain a daily record of the pressure drop across each of the baghouses and fabric filters.

Respondent did not take pressure drop measurements for the FF AAF, DC#1 and DC#4 baghouses from January 1, 2016 through December 31, 2016, in violation of Part 70 Permit No. 139-35965-00011, condition D.3.9.

- g. Pursuant to Part 70 Permit No. 139-37486-00011 ("Permit"), issued to Respondent on December 7, 2016, condition D.5.2, the owner or operator of a cold cleaner degreaser shall ensure the requirements of 326 IAC 8-3-2 are met, specifically provide a permanent, conspicuous label that lists the operating requirements.

Respondent failed to have a permanent, conspicuous label affixed to its cold cleaner degreaser, in violation of Part 70 Permit No. 139-37486-00011 ("Permit"), condition D.5.2 and 326 IAC 8-3-2.

- h. Pursuant to Part 70 Permit No. 139-35965-00011, issued to Respondent on October 27, 2015, condition D.6.6, to document compliance with condition D.6.5, the Permittee shall maintain a daily record of visible

emission notations for the Sprue blast and Die quench blast operation stack exhaust from Stacks SB-1 and DQ-1.

Respondent failed to maintained visible emission notation records from January 1, 2016 through December 31, 2016 for the Die Quench stack exhaust DQ-1, in violation of Part 70 Permit No. 139-35965-00011, condition D.6.6.

6. The late stack tests cited in "5.d." above were conducted in September and October 2016, the corresponding late stack test reports cited in "5.e." above have been submitted to IDEM.
7. On February 24, 2017, Respondent provided information indicating that records are maintained to provide ability to calculate CO emissions as cited in "5.b." above. Respondent will report quarterly.
8. On February 24, 2017, Respondent provided information on how it modified procedures for the capturing and maintaining of visible emission notations and pressure drops during equipment operation.
9. In recognition of the settlement reached, Respondent waives any right to administrative and judicial review of this Agreed Order.

II. ORDER

1. This Agreed Order shall be effective ("Effective Date") when it is approved by Complainant or Complainant's delegate, and has been received by Respondent. This Agreed Order shall have no force or effect until the Effective Date.
2. Respondent shall comply with Part 70 Permit 139-37486-00011, issued to Respondent December 7, 2016, unless superseded by a permit modification or renewal.
3. Within forty-five (45) days of the Effective Date, Respondent shall submit a permit application to correctly identify the grinder/dust collector arrangement(s) in the GSI building.
4. All submittals required by this Agreed Order, unless Respondent is notified otherwise in writing by IDEM, shall be sent to:

Matthew Chaifetz, Compliance and Enforcement Manager
Compliance and Enforcement Branch – Mail Code 61-53
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, IN 46204-2251

5. Respondent is assessed and agrees to pay a civil penalty of Twenty Five Thousand Six Hundred Dollars (\$25,600.00). Said penalty amount shall be due and payable to the Environmental Management Special Fund within thirty (30) days of the Effective Date; the 30th day being the "Due Date".
6. In the event the terms and conditions of the following paragraphs are violated, Complainant may assess and Respondent shall pay a stipulated penalty in the following amount:

<u>Paragraph</u>	<u>Violation</u>	<u>Stipulated Penalty</u>
3	Failure to submit permit application	\$250 per week or part thereof

7. Stipulated penalties shall be due and payable no later than the 30th day after Respondent receives written notice that Complainant has determined a stipulated penalty is due; the 30th day being the "Due Date". Complainant may notify Respondent at any time that a stipulated penalty is due. Failure to notify Respondent in writing in a timely manner of a stipulated penalty assessment shall not waive Complainant's right to collect such stipulated penalty or preclude Complainant from seeking additional relief against Respondent for violation of this Agreed Order. Neither assessment nor payment of stipulated penalties shall preclude Complainant from seeking additional relief against Respondent for a violation of this Agreed Order; such additional relief includes any remedies or sanctions available pursuant to Indiana law, including, but not limited to, civil penalties pursuant to IC 13-30-4.
8. Civil and stipulated penalties are payable by check to the "Environmental Management Special Fund." Checks shall include the Case Number of this action and shall be mailed to:

IDEM Office of Legal Counsel
IGCN, Rm N1307
100 N Senate Ave
Indianapolis, IN 46204

9. This Agreed Order shall apply to and be binding upon Respondent and its successors and assigns. Respondent's signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party he/she/they represent. No change in ownership, corporate, or partnership status of Respondent shall in any way alter its status or responsibilities under this Agreed Order.
10. In the event that the monies due to IDEM pursuant to this Agreed Order are not paid on or before their Due Date, Respondent shall pay interest on the unpaid balance at the rate established by IC 24-4.6-1. The interest shall be computed as having accrued from the Due Date until the date that Respondent pays any unpaid balance. Such interest shall be payable to the Environmental

Management Special Fund [or Asbestos Trust Fund], and shall be payable to IDEM in the manner specified in Paragraph 8, above.

11. In the event that any terms of this Agreed Order are found to be invalid, the remaining terms shall remain in full force and effect and shall be construed and enforced as if this Agreed Order did not contain the invalid terms.
12. Respondent shall provide a copy of this Agreed Order, if in force, to any subsequent owners or successors before ownership rights are transferred. Respondent shall ensure that all contractors, firms and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.
13. This Agreed Order is not and shall not be interpreted to be a permit or a modification of an existing permit. This Agreed Order, and IDEM's review or approval of any submittal made by Respondent pursuant to this Agreed Order, shall not in any way relieve Respondent of its obligation to comply with the requirements of its applicable permit or any applicable Federal or State law or regulation.
14. Complainant does not, by its approval of this Agreed Order, warrant or aver in any manner that Respondent's compliance with any aspect of this Agreed Order will result in compliance with the provisions of any permit, order, or any applicable Federal or State law or regulation. Additionally, IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of Respondent's efforts to comply with this Agreed Order.
15. Nothing in this Agreed Order shall prevent or limit IDEM's rights to obtain penalties or injunctive relief under any applicable Federal or State law or regulation, except that IDEM may not, and hereby waives its right to, seek additional civil penalties for the same violations specified in the NOV.
16. Nothing in this Agreed Order shall prevent IDEM or anyone acting on its behalf from communicating with the EPA or any other agency or entity about any matters relating to this enforcement action. IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of such communications with the EPA or any other agency or entity.
17. This Agreed Order shall remain in effect until IDEM issues a Resolution of Case letter to Respondent.

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TECHNICAL RECOMMENDATION:
Department of Environmental
Management

By: David P. McIver
David P. McIver, Chief
Enforcement Section
Office of Air Quality

Date: 6-9-17

RESPONDENT:
INTAT Precision, Inc.

By: D.B. Rist

Printed: D.B. RIST

Title: VICE PRESIDENT

Date: 6/20/17

COUNSEL FOR RESPONDENT:

By: _____

Date: _____

APPROVED AND ADOPTED BY THE INDIANA DEPARTMENT OF
ENVIRONMENTAL
MANAGEMENT 26 DAY OF June, 20 17
THIS

For the Commissioner:

By: Keith Baugues
Keith Baugues, Assistant Commissioner
Office of Air Quality
Indiana Department of Environmental
Management

